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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 SOUTHERN DIVISION

11 MACK-UNIVERSITY LLC, et al.

12 Plaintiffs,

13 vs.

14 JAMES HALSTEAD, et al.,

15 Defendants.

Case No.: SACV07-393 DOC (ANx)

Assigned to Hon. David O. Carter
Department 9D

**JUDGMENT AGAINST
DEFENDANTS GAMEPLAN, INC.
AND JAMES R. HALSTEAD**

**(INCLUDING AWARD OF
PUNITIVE DAMAGES)**

17 On August 20, 2008, after a hearing on August 18, 2008, the Court granted the
18 motion of Consolidated Plaintiffs made under Rule 56 of the Federal Rules of Civil
19 Procedure for summary judgment against Defendants James Halstead and GamePlan,
20 Inc. as to all counts asserted against them, including claims for the violation of federal
21 and California State securities laws and common law fraud and deceit in connection
22 with the sale of securities. Furthermore, on September 3, 2008, after a hearing on that
23 date, the Court also ordered that Consolidated Plaintiffs would be entitled to punitive
24 damages as against Defendants James Halstead and GamePlan, Inc.

25 Pursuant to those orders and Federal Rule of Civil Procedure 58, and upon
26 finding no just reason for delay, judgment shall be entered accordingly as detailed
27 below, along with prejudgment interest of 7% on the amount of compensatory
28 damages from January 1, 2007 to September 5, 2008, punitive damages, and post-

judgment interest, cost and fees as allowed by law and as detailed below.

PIERCE PLAINTIFFS:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Judgment be and is hereby entered in favor of the Pierce Plaintiffs (as “Pierce Plaintiffs” is defined in Paragraphs 16 through 15 of the Consolidated Complaint filed herein on May 12 2008), as detailed below and against Defendants GAMEPLAN, INC. and JAMES R. HALSTEAD, jointly and severally, in the following amounts, with prejudgment interest being calculated at the rate of 7% per annum from January 1, 2007 to September 5, 2008:

	<u>Principal</u>	<u>Prejudgment Interest</u>	<u>Punitive Damages</u>	<u>Total</u>
John Pierce	\$375,000.00	\$44,157.53	\$750,000.00	\$1,169,157.53
Trent Walker	\$126,000.00	\$14,836.93	\$252,000.00	\$392,836.93
Michael Hefner	\$30,000.00	\$3,532.60	\$60,000.00	\$93,532.60
Greg Velastegui	\$150,000.00	\$17,663.01	\$300,000.00	\$467,663.01
Thomas Hazen	\$1,203,394.00	\$141,703.76	\$2,406,788.00	\$3,751,885.76
Lawson Family Trust	\$356,500.00	\$41,979.10	\$713,000.00	\$1,111,479.10
The Lawson Marketing Group, Inc.	\$200,000.00	\$23,550.68	\$400,000.00	\$623,550.68
Larry Rabineau	\$240,650.00	\$28,337.36	\$481,300.00	\$750,287.36
Marc Halliburton	\$1,499,959.80	\$145,557.74	\$2,999,919.60	\$4,645,437.14
Builders Financial Expeditors, LLC	\$20,000.00	\$2,355.07	\$40,000.00	\$62,355.07
Marilyn Platfoot	\$200,000.00	\$23,550.68	\$400,000.00	\$623,550.68
Robert Culver and Claudine Halliburton	\$160,000.00	\$18,840.55	\$320,000.00	\$498,840.55
Robert Halliburton	\$158,000.00	\$18,605.04	\$316,000.00	\$492,605.04
Yves Halliburton	\$14,000.00	\$1,648.55	\$28,000.00	\$43,648.55

1	Bernie Germani Sr.	\$16,200.00	\$1,907.61	\$32,400.00	\$50,507.61
2	Bernie Germani Jr.	\$261,000.00	\$30,733.64	\$522,000.00	\$813,733.64
3	Ed Sherman	\$20,000.00	\$2,355.07	\$40,000.00	\$62,355.07
4	Jane McElroy	\$10,000.00	\$1,177.53	\$20,000.00	\$31,177.53
5	Steve Lowe and				
6	Lisa Lowe	\$130,368.00	\$15,351.28	\$260,736.00	\$406,455.28
7	Michael Manser and				
8	Amy Manser	\$493,000.00	\$58,052.44	\$986,000.00	\$1,537,052.44
9	John M. Powers dba				
10	American Home Loans	\$868,325.00	\$102,248.24	\$1,736,650.00	\$2,707,223.24
11	Powers Trust				
12	Investments DBPP	\$25,000.00	\$2,943.84	\$50,000.00	\$77,943.84
13	Melissa J. Powers	\$150,000.00	\$17,663.01	\$300,000.00	\$467,663.01
14	John M. Powers Jr.	\$855,000.00	\$100,679.18	\$1,710,000.00	\$2,665,679.18
15	Tooker Family Trust	\$412,500.00	\$48,573.29	\$825,000.00	\$1,286,073.29
16	Jason Wojtyna and				
17	Barbara Wojtyna	\$556,475.00	\$65,526.84	\$1,112,950.00	\$1,734,951.84
18	Kilpatrick Investments				
19	LP	\$61,500.00	\$7,241.84	\$123,000.00	\$191,741.84
20	Proclaim LLC	\$333,700.00	\$39,294.32	\$667,400.00	\$1,040,394.32
21	KEBO Investments LLC	\$5,700.00	\$671.19	\$11,400.00	\$17,771.19
22	Brandon Keenen	\$24,750.00	\$2,914.40	\$49,500.00	\$77,164.40
23	James L. Frey	\$36,750.00	\$4,327.44	\$73,500.00	\$114,577.44
24	James L. Frey Trust	\$26,000.00	\$3,061.59	\$52,000.00	\$81,061.59
25	David N. Frey Trust	\$38,250.00	\$4,504.07	\$76,500.00	\$119,254.07
26	James Michael Frey	\$24,750.00	\$2,914.40	\$49,500.00	\$77,164.40
27	Amy Frey	\$38,250.00	\$4,504.07	\$76,500.00	\$119,254.07
28	James L. Frey MD	\$86,250.00	\$10,156.23	\$172,500.00	\$268,906.23

Research Ltd.

Randal Whittle	\$301,000.00	\$35,443.78	\$602,000.00	\$938,443.78
Dennis W. Wilson	\$504,640.00	\$59,423.09	\$1,009,280.00	\$1,573,343.09
Thuan Phan	\$1,850,000.00	\$217,843.84	\$3,700,000.00	\$5,767,843.84
Anthony Edwards	\$849,000.00	\$99,972.66	\$1,698,000.00	\$2,646,972.66
Reed Hummel	\$350,000.00	\$41,213.70	\$700,000.00	\$1,091,213.70
Steven Cox	\$1,479,000.00	\$174,157.32	\$2,958,000.00	\$4,611,157.32
TOTALS	\$14,540,911.80	\$1,411,066.02	\$29,081,823.42	\$45,033,801.42

The above Pierce Plaintiffs shall also be awarded their costs of suit in the amount of \$ **TO BE DETERMINED**. Post-judgment interest at the rate of 2.18% per annum shall accrue on all of these amounts from the date of entry of this Judgment until paid in full.

MACK-UNIVERSITY PLAINTIFFS:

IT IS FURTHER HEREBY ORDERED, ADJUDGED AND DECREED that Judgment be and is hereby entered in favor of the Mack-University Plaintiffs (as “Mack-University Plaintiffs” is defined in Paragraphs 14 and 15 of the Consolidated Complaint filed herein on May 12, 2008), as detailed below and against Defendants GAMEPLAN, INC. and JAMES R. HALSTEAD in the following amounts, with prejudgment interest being calculated at the rate of 7% per annum from January 1, 2007 to September 5, 2008:

	<u>Principal</u>	<u>Prejudgment Interest</u>	<u>Punitive Damages</u>	<u>Total</u>
Mack University LLC	\$2,600,000.00	\$306,158.90	\$5,200,000.00	\$8,106,158.90
PMP Ventures-Pipes, LLC	\$1,000,000.00	\$117,753.42	\$2,000,000.00	\$3,117,753.42
TOTALS	\$3,600,000.00	\$423,912.33	\$7,200,000.00	\$11,223,912.33

The above Mack-University Plaintiffs shall also be awarded their costs of suit in the amount of \$ **TO BE DETERMINED**, as well as attorney’s fees in the amount

of \$ **TO BE DETERMINED**. Post-judgment interest at the rate of 2.18% per annum shall accrue on all of these amounts from the date of entry of this Judgment until paid in full.

BURNETT PLAINTIFFS:

IT IS FURTHER HEREBY ORDERED, ADJUDGED AND DECREED that Judgment be and is hereby entered in favor of the Burnett Plaintiffs (as “Burnett Plaintiffs” is defined in Paragraph 55 of the Consolidated Complaint filed herein on May 12, 2008), as detailed below and against Defendants GAMEPLAN, INC. and JAMES R. HALSTEAD in the following amounts, with prejudgment interest being calculated at the rate of 7% per annum from January 1, 2007 to September 5, 2008:

	<u>Principal</u>	<u>Prejudgment Interest</u>	<u>Punitive Damages</u>	<u>Total</u>
Kai W. Adler	\$20,680.00	\$2,435.14	\$41,360.00	\$64,475.14
Robert W. Bellano	\$11,210.00	\$1,320.02	\$22,420.00	\$34,950.02
Michael Brackett	\$19,725.00	\$2,322.69	\$39,450.00	\$61,497.69
Eric Bradley and Jennifer Bradley	\$132,366.67	\$15,586.63	\$264,733.34	\$412,686.64
Ernie Burnett	\$561,445.85	\$66,112.17	\$1,122,891.70	\$1,750,449.72
Enrique Campos and Tammy Campos	\$106,981.26	\$12,597.41	\$213,962.52	\$333,541.19
Mark Childers and Cherie Childers	\$215,350.00	\$25,358.20	\$430,700.00	\$671,408.20
Mike Curtis and Gwen Curtis	\$137,754.92	\$16,221.11	\$275,509.84	\$429,485.87
Fifteen Morgan, LLC	\$45,333.33	\$5,338.15	\$90,666.66	\$141,338.14
First Trust Co. of Onaga	\$376,207.39	\$44,299.71	\$752,414.78	\$1,172,921.88
Anne Frank	\$89,466.67	\$10,535.01	\$178,933.34	\$278,935.02
Alan Girdlestone and	\$112,616.67	\$13,261.00	\$225,233.34	\$351,111.01

1	Dolores Girdlestone				
2	Jason Glass	\$35,412.50	\$4,169.94	\$70,825.00	\$110,407.44
3	Vadim Dan Gluzman and				
4	Musia Gluzman	\$217,332.51	\$25,591.65	\$434,665.02	\$677,589.18
5	Fran Hargadon	\$46,066.67	\$5,424.51	\$92,133.34	\$143,624.52
6	Daniel Kechejian and				
7	Aline Kechejian	\$40,718.75	\$4,794.77	\$81,437.50	\$126,951.02
8	George C. Kenney	\$36,925.00	\$4,348.05	\$73,850.00	\$115,123.05
9	James Kim	\$13,800.00	\$1,625.00	\$27,600.00	\$43,025.00
10	Fred Koeppe	\$45,333.33	\$5,338.15	\$90,666.66	\$141,338.14
11	Jeff Marsden and				
12	Christine Marsden	\$21,929.17	\$2,582.23	\$43,858.34	\$68,369.74
13	Robert B. MacDonald	\$20,166.67	\$2,374.69	\$40,333.34	\$62,874.70
14	Nigel Charles Page	\$69,900.00	\$8,230.96	\$139,800.00	\$217,930.96
15	Stephen Perebzhak	\$450,992.08	\$53,105.86	\$901,984.16	\$1,406,082.10
16	Eric Rasor and				
17	Laura Rasor	\$234,600.00	\$27,624.95	\$469,200.00	\$731,424.95
18	Mark R. Sawusch	\$342,166.67	\$40,291.30	\$684,333.34	\$1,066,791.31
19	Ralph W. Sheets	\$12,751.67	\$1,501.55	\$25,503.34	\$39,756.56
20	Spectrum Lending Group	\$39,700.00	\$4,674.81	\$79,400.00	\$123,774.81
21	Fakhri Taheri	\$23,408.33	\$2,756.41	\$46,816.66	\$72,981.40
22	John Taylor	\$199,920.83	\$23,541.36	\$399,841.66	\$623,303.85
23	Therapy Care, Inc.	\$61,163.34	\$7,202.19	\$122,326.68	\$190,692.21
24	Twelve Morgan, LLC	\$130,200.00	\$15,331.50	\$260,400.00	\$405,931.50
25	Shirley Wagner	\$129,235.42	\$15,217.91	\$258,470.84	\$402,924.17
26	TOTALS	\$4,000,860.70	\$471,115.05	\$8,001,721.40	\$12,473,697.15

27 The above Burnett Plaintiffs shall also be awarded their costs of suit in the
 28 amount of \$ **TO BE DETERMINED**, as well as attorney's fees in the amount of

TO BE DETERMINED. Post-judgment interest at the rate of 2.18% per annum shall accrue on all of these amounts from the date of entry of this Judgment until paid in full.

DUSKY PLAINTIFFS:

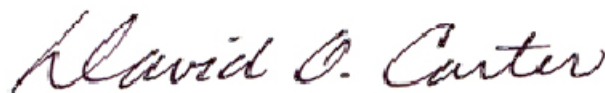
IT IS FURTHER HEREBY ORDERED, ADJUDGED AND DECREED that Judgment be and is hereby entered in favor of the Dusky Plaintiffs (as “Dusky Plaintiffs” is defined in Paragraphs 56 through 59 of the Consolidated Complaint filed herein on May 12, 2008), as detailed below and against Defendants GAMEPLAN, INC. and JAMES R. HALSTEAD in the following amounts, with prejudgment interest being calculated at the rate of 7% per annum from January 1, 2007 to September 5, 2008:

	<u>Principal</u>	<u>Prejudgment Interest</u>	<u>Punitive Damages</u>	<u>Total</u>
Mariciela Dusky	\$50,000.00	\$5,887.67	\$100,000.00	\$155,887.67
Salvador Sahagun	\$50,000.00	\$5,887.67	\$100,000.00	\$155,887.67
Melissa Hansen	\$50,000.00	\$5,887.67	\$100,000.00	\$155,887.67
TOTALS	\$150,000.00	\$17,663.01	\$300,000.00	\$467,663.01

The above Dusky Plaintiffs shall also be awarded their costs of suit in the amount of \$ **TO BE DETERMINED**, as well as attorney’s fees in the amount of \$ **TO BE DETERMINED**. Post-judgment interest at the rate of 2.18% per annum shall accrue on all of these amounts from the date of entry of this Judgment until paid in full.

ORDERED, ADJUDGED AND DECREED.

DATED: September 8, 2008



HON. DAVID O. CARTER
U.S. DISTRICT COURT JUDGE